

today, like the fact that an interim facility should be built or how the site for that facility will be chosen. In all other respects, NEPA will apply under its own terms.

Mr. President, the President has not taken a position on this to rectify it. He simply has condemned every effort by Congress to address the situation. He and the administration have a responsibility to respond positively with a suggestion instead of negatively to everything that Congress proposes to address the problem.

I urge my colleagues to vote cloture. The PRESIDING OFFICER (Mr. INHOFE). The Senator's time has expired.

Mr. REID. Mr. President, I remind everyone in this Chamber of the charts Chairman MURKOWSKI showed us earlier. They show nuclear waste stored in 80 sites across America. They show another chart with one site, the Nevada test site, and they claim that all the waste will be moved from these many sites to this one site. This simply is wrong, and it is misleading.

Nuclear waste will remain at the nuclear reactors for as long as these nuclear reactors operate and long afterward. Nuclear waste will be stored in these cooling ponds at these reactors during their operation and after they shut down. Dry cask storage will be required at many of these reactors, whether or not S. 1936 passes.

Those Senators who believe that S. 1936 will get nuclear waste out of their backyards are misinformed, and they are wrong. The first chart of the junior Senator from Alaska, the chart with waste stored across the Nation, represents our future under S. 1936, as well as our past. In addition to waste in the backyards that it is already in, it will be in the backyards of places all over this country along the transportation routes.

Remember, Mr. President, we have already had seven nuclear waste accidents, 1 for every 300 trips. We are going to have thousands of trips; 12,000 shipments alone will go through the State of Illinois; thousands through Massachusetts; almost 12,000 through Nebraska and Wyoming.

This legislation is wrongheaded. I repeat from the editorial this morning in the Washington Post:

But this is too important a decision to be jammed through the latter part of a Congress on the strength of the industry's fabricated claim. . . .

This is legislation that is unnecessary. It is based upon one fabrication after another. It should be soundly defeated. We ask the motion to invoke cloture not prevail.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

PRIVILEGE OF THE FLOOR

Mr. MURKOWSKI. Mr. President, on behalf of the leader, I ask unanimous consent that William Murphie be granted the privilege of the floor dur-

ing the consideration of this bill, S. 1936, a bill to amend the Nuclear Waste Policy Act of 1982.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, I believe all time has expired.

The PRESIDING OFFICER. The Senators from Nevada still control a few minutes.

Mr. REID. We yield back the time.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the hour of 10 a.m. having arrived, under rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 1936, the nuclear waste bill:

Trent Lott, Larry E. Craig, Fred Thompson, Dan Coats, Don Nickles, Ted Stevens, Craig Thomas, Richard G. Lugar, Slade Gorton, Spencer Abraham, Frank H. Murkowski, Conrad R. Burns, Dirk Kempthorne, Alan K. Simpson, Bill Frist, Hank Brown.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1936, the Nuclear Waste Policy Act, shall be brought to a close? The yeas and nays are required. The clerk will call the roll.

Mr. NICKLES. I announce that the Senator from Mississippi [Mr. COCHRAN] is absent due to a death in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote.

The yeas and nays resulted—yeas 65, nays 34, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—65

Abraham	Gramm	Levin
Ashcroft	Grams	Lott
Bennett	Grassley	Lugar
Bond	Gregg	Mack
Bradley	Hatch	McCain
Breaux	Hatfield	McConnell
Brown	Heflin	Moseley-Braun
Burns	Helms	Murkowski
Chafee	Hollings	Murray
Cohen	Hutchison	Nickles
Coverdell	Inhofe	Nunn
Craig	Jeffords	Pressler
D'Amato	Johnston	Robb
DeWine	Kassebaum	Roth
Domenici	Kempthorne	Santorum
Faircloth	Kohl	Shelby
Frahm	Kyl	Simon
Frist	Lautenberg	Simpson
Gorton	Leahy	Smith

Snowe
Specter
Stevens

Thomas
Thompson
Thurmond

Warner
Wellstone

NAYS—34

Akaka
Baucus
Biden
Bingaman
Boxer
Bryan
Bumpers
Byrd
Campbell
Coats
Conrad
Daschle

Dodd
Dorgan
Exon
Feingold
Feinstein
Ford
Glenn
Graham
Harkin
Inouye
Kennedy
Kerrey

Kerry
Lieberman
Mikulski
Moynihan
Pell
Pryor
Reid
Rockefeller
Sarbanes
Wyden

NOT VOTING—1

Cochran

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays were 34.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. CRAIG. Mr. President, I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, so that we will be aware of what we are trying to do, the Senator from Pennsylvania wishes to speak on another matter for 5 minutes. Then, after he concludes, it is my intent, at least for a time, to put in a quorum so that we will have an opportunity to talk to all the Senators involved in this issue and the Democratic leader and see if we can come to an agreement.

We want to accommodate Senators on both sides of this particular issue. We want to find a way to move as early as possible to the Department of Defense appropriations bill. It is my intent to move forward with both of these issues in the best way we can. We would like to talk to the Senators from Nevada to see what their wishes are and to Senator MURKOWSKI and the Senator from Idaho. We will do that, and we will let the Senate know exactly what is agreed to when we come to a conclusion.

I want to put the Senate on notice that I would like for us also to see if we cannot work out the stalking bill so that we can get a unanimous consent agreement on that. I would like to see if we can get an agreement on the gambling commission so that we would have an understanding on how to proceed on that. We might have a couple of judges that we can get a clearance on today. We would also like to see if we cannot go to conference on the health insurance reform package. So I will be talking to Senators on both sides of the aisle on a number of issues to see if we can get an agreement as to how and when we might bring them up. For right now, we will talk to Senators on how to proceed on nuclear waste.

I yield to the Senator from Pennsylvania.

SENATOR SPECTER'S SPEECH TO THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Mr. SPECTER. Mr. President, I sought recognition to comment briefly on a speech I gave yesterday to the International Brotherhood of Teamsters.

It was even more difficult to speak on the floor of the Philadelphia Convention Center yesterday at the meeting of the International Brotherhood of Teamsters than it is to speak sometimes on the Senate floor, having had substantial experience speaking without order. It was a new experience for me. It was a different experience. I want to comment about the International Brotherhood of Teamsters meeting yesterday, which was disrupted by a demonstration. There was a very hotly contested political election going on in the Teamsters Union.

When the convention was convened at 2 o'clock in the afternoon, the chair was unable to obtain order, and I finally spoke over the din of that crowd, and made the basic point that when there is a dispute, wherever that dispute exists in America and the resolution of the dispute is subject to democratic processes, I said that the matter ought to be decided by ballots and by an exchange of free speech, without demonstrations interrupting other speeches. I made the very basic point that, even in Russia, where there was recently an election, the contesting parties had more of an opportunity to exercise freedom of speech and to have the matters heard in an orderly and systematic way.

During the course of the speech that I gave, a large number of the delegates moved down to one section in front near the podium. During the course of the presentation, the large group moved down to one section of the hall and continued the demonstration. I made the very basic point that that was not a credit to the Teamsters, it was not a credit to the labor movement, and it was not a credit to America to continue that kind of a demonstration. I said that it did not help the individual whose cause the demonstrators were trying to articulate.

It seemed to me then, and it seems to me now, that the leader of that group had an obligation, when his partisans were demonstrating in that manner, to appear and do his utmost to bring them to order so that the convention could proceed. The point that I had intended to make—and I said at the convention yesterday that I was returning to Washington on the 4 o'clock Metroliner and would make the speech on the Senate floor, but we were not in session yesterday—was to congratulate the Teamsters Union for being willing to look at the political process without being tied to one political party or another, but to make judgments and decisions based upon the merits and based upon the facts.

The example of the British Empire was, I think, a very good one. Speaking

about the British Empire, the point was made that, in Britain, they maintained a consistency of interest, but not necessarily a consistency of allies. The Teamsters have demonstrated a significant degree of political independence with supporting political candidates on both sides of the political aisle, supporting President Nixon, supporting President Johnson, supporting President Reagan, supporting President Clinton. My point was to commend them for their kind of political independence, and especially where there seems to be a declaration of war of a sort between labor and the Republican Party which I think is bad for everybody—bad for the parties who are participants in the war. And it is really bad for America that there is not more independence and more analysis of the individual merits as opposed to blind political loyalty. The words of John Kennedy, President Kennedy, have been quoted with some frequency when he said that "sometimes a party asks too much."

My point in speaking yesterday—and I now make these comments on the floor of the Senate—is to congratulate the Teamsters in the past for their political independence. It is my hope that as that political convention moves forward in Philadelphia today that there will be order there so that there can be an exchange of political ideas. Whether the election is one for a President of the United States or the president of the International Brotherhood of Teamsters, the orderly way to proceed is to hear everyone out, and then to make a judgment and a decision at the ballot box which the Teamsters will be afforded.

It is no secret that the Teamsters have had a troubled past in the course of the past four decades. The Senate McClellan committee conducted a very extensive investigation years ago in the 1950's. When I was an assistant district attorney in Philadelphia I got the first convictions of Teamsters for conspiracy to commit fraud in local 107 of the Philadelphia Teamsters Union. All the defendants were convicted. Six of them, and all went to jail. That local was cleaned out but profited from the mistakes of the past, and the International Teamsters is currently under trusteeship.

So that it is more important perhaps than in any other single instance when the Teamsters convention convenes that there will be order, decorum, and due process so that those who are invited to speak can exercise the constitutional right to freedom of speech, and that there will be an appropriate way to resolve the differences there at the ballot box instead of with demonstrations.

Mr. President, I ask unanimous consent that the text of my speech yesterday at the Teamsters convention in Philadelphia be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REMARKS OF THE HONORABLE ARLEN SPECTER

Ladies and gentlemen, I will try to say a few words over the din of noise.

In America we have a democracy.

(Applause)

In America we decide our controversies by voting and not by shouting.

(Applause and shouting)

This demonstration does not bring credit to the Teamsters. This demonstration does not bring credit to the American labor movement.

(Booing from the Convention floor.)

This demonstration does not bring credit to those who back Mr. Hoffa.

(Applause and shouting)

Right now the eyes and ears of America are on this hall. Right now the eyes and ears of America want to see if the Teamsters Union can have a civilized meeting and a civilized election, and this demonstration does not do credit to that process.

(Applause and shouting)

They just had an election in Russia. They just had an election in Russia, and in the Duma, the Russian parliament, you did not see this kind of a repudiation of a democracy and you did not see this kind of demonstration against freedom of speech.

(Applause and shouting)

Right now the Congress of the United States—right now the Congress of the United States and the United States Senate, of which I am a member, is trying to decide what to do for the American working man and the American working woman. And when they see what is happening in this hall, that is not a credit to the American labor movement. That is not a credit to democracy, and it does not do credit to those who support Mr. Hoffa.

(Applause and shouting)

There is important business to be transacted at this Convention. You men and women have come from all over the United States to transact business of the International Brotherhood of Teamsters. And what is happening by that small group is a black mark on the Teamsters and a black mark on the American labor movement.

(Applause and shouting)

If their cause is right and if their cause is just, let us hear what they have to say.

(Applause and shouting)

They are setting back the labor movement and they are setting back the Teamsters and they're setting back Mr. Hoffa by this kind of unruly, undemocratic behavior.

(Applause and shouting)

I'm going to be on the 4:00 train back to Washington, D.C.—

(Applause and shouting)

And my report to my colleagues in the Senate will not be too good. Let me once again—let me once again ask this group of demonstrators to stand aside and to wait for their turn to speak and to wait for their turn to vote.

(Applause and shouting)

Ladies and gentlemen, I have a very significant speech to make to this Convention. What I intend to do is to be on the 4:00 train to Washington and to make that speech on the floor of the Senate. You can catch me on C-Span.

When I leave this podium, I'm going to walk right out of this hall through that group of demonstrators.

(Applause)

Mr. SPECTER. I thank the Chair.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CAMPBELL). Without objection, it is so ordered.

NUCLEAR WASTE POLICY ACT OF 1996—MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

Mr. LOTT. Mr. President, after discussion with the Senators who are involved in this nuclear waste issue, I believe we have reached a consent agreement as to how we can proceed for the remainder of today and into tomorrow.

Therefore, I ask unanimous consent that notwithstanding rule XXII, that Senators REID and BRYAN each be granted 3 hours for debate; that there be 2 hours for debate under the control of Senator MURKOWSKI and 1 hour under the control of Senator JOHNSTON; and that the vote occur on the motion to proceed to S. 1936 at 1 p.m. on Wednesday, July 17.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, and I shall not object, I want to make sure I understand the unanimous consent agreement. Senators REID and BRYAN, between them, would have 6 hours; is that right?

Mr. LOTT. Each would be granted 3 hours. So, yes. Then there would be 2 hours, as I said, under the control of Senator MURKOWSKI; 1 hour under the control of Senator JOHNSTON. I think it is a fair agreement of time for all involved.

In the meantime, we can see if we can work out an agreement on how to deal with the gambling commission. We also will begin working on how to proceed at some point, hopefully early tomorrow afternoon, to the DOD appropriations bill.

Mr. DORGAN. Will the Senator yield for a question?

Mr. LOTT. Yes, for a question.

Mr. DORGAN. Will there be additional record votes today?

Mr. LOTT. I was going to make that announcement once we got the agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, in view of the agreement that has been reached, so that Senators can proceed with the debate, I announce that there will be no further recorded votes during today, Tuesday. The first vote then will occur tomorrow at 1 o'clock.

The PRESIDING OFFICER. Who yields time?

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

Mr. REID. Mr. President, I state to the majority and minority leaders my appreciation for allowing this orderly process. I think everyone recognizes that the end result is the same. We could have done a lot of parliamentary things and exhausted the Senate, but I think what the two leaders have come up with is fair. In effect, the point was made earlier today when we got 34 votes that we felt were critical on this issue.

Mr. President, this issue is important. It is important for a number of reasons, not the least of which is the issue of transportation of nuclear waste.

We have heard a lot about transportation, as well we should. The fact of the matter is that those States that have nuclear waste, if they think by some stretch of the imagination by this bill passing it is going to get nuclear waste out of the States, it is not going to do it. The nuclear reactors have nuclear waste in them now, and they will continue to have nuclear waste in them as long as they are producing energy, and long thereafter.

The fact is that the transportation of nuclear waste is a difficult issue. In 1982, when the Nuclear Waste Policy Act passed, there was discussion at that time that there was no way to transport the nuclear waste. There was no way to transport it. In the 14 years since the Nuclear Waste Policy Act passed, scientists have been working, trying to develop a means of transporting nuclear waste. What they have come up with is something called a dry cask storage container. I really do not know how it works. It is scientifically above my pay grade. But it works to this extent: It is certainly a lot better than what we had in 1982, and they are working on it all the time to make it better. The reason the environmental community and this administration, among other reasons, thinks this legislation is so bad is that there is no way to safely transport nuclear waste today.

Right now, these dry cask storage containers are set up so that if there is an accident that occurs and the vehicle carrying the canister is going 30 miles an hour or less, then it will be safe. But if the vehicle is going faster than 30 miles an hour, the canister will be breached, and the product within this canister will spew forth.

The canister is also set up to withstand heat, but the only thing they have been able to do, to this point, is make sure that if a fire is less than 1,400 degrees and burns for only a half hour, the canister will be safe. But if the canister burns for more than a half hour at temperatures—it is actually 1,380 degrees—then the canister, again, will be breached.

The reason that is so important, when we talk about transportation, is the fact that we all know that trains

and trucks, which will be the vehicles carrying these canisters, use diesel fuel. Diesel fuel burns as high as 3,200 degrees. The average temperature of a diesel fire is 1,800 degrees. So that is more than 325 degrees higher than these canisters are set up to protect.

So that is why people are saying, we are glad we have made the progress with these canisters, because you can put spent fuel rods in a canister, put it in this room, drive a truck into it going 30 miles per hour, setting a fire, and you are in pretty good shape. But you try to transport these nuclear spent fuel rods in these canisters, it will not work.

We know that we have already had seven nuclear waste accidents. We know that there is one accident for about every 300 trips. If you multiply this, Mr. President, this is going to be traveling all over the United States—the rail is in blue, the highway is in red. We are going to have a lot of accidents. Very rarely do you see a truck with a load going less than 30 miles an hour. Very rarely do you see a fire in a train—truck fires you can put out pretty quickly—but train fires we know last year we had one that burned for 4 days. So people are extremely concerned.

Mr. President, we have here a chart that is quite illustrative. This is, of course, a train accident. We know that there is an average of about 60 train accidents a year. Last year was an especially bad accident time. There were accidents all over the United States. We had one that we were very familiar with in Nevada because on the heavily traveled road between Los Angeles and Las Vegas there was a train track located more than a mile from the freeway. A train caught fire, and the freeway was closed, off and on, for 3 days, totally closed, as a result of this accident.

So accidents do happen. We have 43 States at risk where there are going to be huge amounts of nuclear products carried through the States. Alabama, 6,000 truckloads, 783 trainloads. Colorado, 1,347 truckloads, 180 trainloads. Remember, Mr. President, when we talk about trainloads, we have some trains that are almost 2 miles in length—2 miles worth of train. So when we talk about a State like Maine that is going to have 100 trainloads, that is a lot of stuff that is going to be carried.

Our Nation's nuclear powerplants, Mr. President, are operating. We have not had any new nuclear powerplants in a long time. We will probably never in our lifetime have another one. So what are we talking about? We are talking about 109 nuclear powerplant reactors. These reactors operate in about 34 different States. The nuclear waste that is produced from these powerplants presently is placed in one of two places. First of all, they go into cooling ponds. Then after they take the product out of the cooling ponds, in that they have developed dry cask storage containers, then they put them in